

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

MELISSA KIGER,)
Plaintiff,)
v.)
JENNINGS FUNERAL HOMES, INC.)
and FENTRESS MEMORIAL)
GARDENS, a/k/a FENTRESS)
MEMORY GARDENS, INC.)
Defendants.)

No. 02:10-0084
Judge Sharp

ORDER

On June 26, 2011, Magistrate Judge Griffin entered a Report and Recommendation (“R & R”) recommending “that this action be dismissed for the plaintiff’s failure to prosecute this case, and specifically for her failure to comply with the orders entered May 17, 2011, and May 18, 2011 (Docket Entry Nos. 26 and 29)[.]” (Docket No. 35 at 1). The referenced Orders were Orders from Chief Judge Campbell which granted counsels’ Motions to Withdraw as Counsel (Docket Nos. 25 & 28), and which directed the Plaintiff to “notify the Court on or before June 17, 2011, whether she has obtained new counsel or whether she intends to proceed in this action *pro se*.” (Docket No. 26 at 1 & Docket No. 29 at 1). Plaintiff failed to respond to those Orders, prompting Magistrate Judge Griffin to recommend that the action be dismissed for Plaintiff’s failure to prosecute.

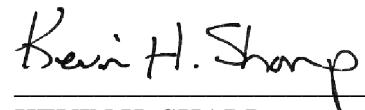
Plaintiff was informed in the R & R that she had fourteen (14) days within which to file any objections. No objections have been filed.

Accordingly, for the reasons set forth in the R & R, as well as Plaintiff's implicit acceptance of the recommendation made in the R & R by her failure to object, (1) the R & R (Docket No. 35) is hereby ACCEPTED and APPROVED; and (2) this case is hereby DISMISSED WITH

PREJUDICE pursuant to Fed. R. Civ. P. 41(b) for Plaintiff's failure to prosecute this action and failure to comply with Judge Campbell's May 17 & 18, 2011 Orders.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE